

## REMARKS

As indicated in the Office action dated July 31, 2003, claims 1-45 are pending in the present application. With respect to this amendment, claims 1, 6, 12-17, 22, 24-26, 30, 33 and 38-43 are amended and claims 46-61 are added. No new matter has been added by this Amendment.

With respect to the present Office action, claims 1-11 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite and claims 22-29 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Furthermore, claims 12, 13 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,805,530 (“Youngberg”) and claims 1-11, 14-17 and 19-45 stand rejected under 35 U.S.C. § 103(a).

More specifically, claims 1-3, 6, 10, 11, 22, 23, 25, 29, 30, 33, 37, 38, 41 and 45 stand rejected as being unpatentable over U.S. Patent No. 6,236,623 (“Read”) in view of U.S. Patent No. 5,677,895 (“Mankovitz”). Claims 4, 5, 24, 31, 32, 39 and 40 stand rejected as being unpatentable over Read and Mankovitz in further view of U.S. Patent No. 6,069,848 (“MacDonald”). Claims 7, 26, 34 and 42 stand rejected as being unpatentable over Read and Mankovitz in further view of U.S. Patent No. 6,493,338 (“Preston”). Claims 8, 9, 27, 28, 35, 36, 43 and 44 stand rejected as being unpatentable over Read and Mankovitz in further view of U.S. Patent No. 6,304,518 (“O’Neill”). Claims 14 and 15 stand rejected as being unpatentable over Youngberg in view of McDonald. Claims 16 and 21 stand rejected as being unpatentable over Youngberg. Claim 17 stands rejected as being unpatentable over Youngberg in view of Preston and claims 19 and 20 stand rejected as being unpatentable over Youngberg in view of O’Neill. In light of the amendments above, Applicants respectfully traverse the rejections, and reconsideration of the rejections is respectfully requested.

### Claim Rejections - 35 U.S.C. § 112

With respect to paragraph 2 of the present Office action, claims 1-11 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claim 1 has been amended to particularly point out and distinctly claim the subject matter the Applicants regard as the

invention. The “time component” limitation referred to in line 13 of claim 1 of the application as originally filed has been deleted. As recited in newly amended claim 1, the internal clock of the secondary event device stores the first internal time and increments relative to the first internal time thereafter to produce the second internal time. Accordingly, the rejection of claim 1 should be withdrawn.

Claims 2-11 depend from claim 1 and, along with claim 1, were rejected for failing to point out and distinctly claim the subject matter the Applicants regard as the invention. Claims 2-11 in their original form comply with amended claim 1. Therefore, for the reasons discussed above regarding claim 1, claims 2-11 also now particularly point out and distinctly claim the subject matter regarded as the invention. Accordingly, the rejections of claims 2-11 should also be withdrawn.

With respect to paragraph 1 of the present Office action, claims 22-29 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claim 22 has been amended to include the limitation of “processing the GPS time signal to produce a first internal time” and the limitation of “storing the first internal time in the second memory coupled to the second receiver to produce a second internal time.” The recitations of the “GPS time signal” have also been amended to recite the “first internal time” or the “second internal time.” Amended claim 22 is supported by the specification as shown on page 7, line 17 through page 8, line 6 and page 11, lines 12-25. Accordingly, the rejection of claim 22 should be withdrawn.

Claims 23-29 depend from claim 22 and, along with claim 22, were rejected for failing to comply with the written description requirement. Claims 24-26 are amended to comply with amended claim 22. Claims 23 and 27-29 in their original form comply with amended claim 22. Therefore, for the reasons discussed above regarding claim 22, claims 24-26, as well as claims 23 and 27-29, also now comply with the written description requirement. Accordingly, the rejections of claims 23-29 should also be withdrawn.

### **Claim Rejections – 35 U.S.C. § 102**

With respect to paragraph 3 of the present Office action, claims 12, 13 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Youngberg. To anticipate a claim under Section 102, the reference must teach every element of the claim as set forth in the claim, either expressly or inherently. M.P.E.P § 2131. Youngberg and the other cited references fail to meet these requirements.

As amended, claim 12 recites a method of synchronizing an event system including receiving an instruction including a time element and a function element at a primary event device, wirelessly transmitting the instruction, wirelessly receiving the instruction at a second receiver and executing the function element based at least in part on the time element, as well as additional limitations. None of the references cited teach or suggest a method of synchronizing an event system as recited in claim 12.

Youngberg discloses a system, method and device for automatically setting various clocks. A master clock and one or more slave clocks can send and receive information back and forth according to a message protocol. However, Youngberg does not teach or suggest wirelessly transmitting an instruction including a time element and a function element to any of the devices. Furthermore, Youngberg does not teach or suggest executing the function element based at least in part on the time element. Accordingly, claim 12 contains allowable subject matter and the rejection of the claim should be withdrawn.

Claims 13-21 depend from claim 12 and are allowable for the same reasons that claim 12 is allowable, as well as other reasons, which for the sake of brevity, are not discussed.

### **Claim Rejections – 35 U.S.C. § 103**

With respect to the present Office action, claims 1-11, 14-17 and 19-45 stand rejected under 35 U.S.C. 103(a). To establish a *prima facie* case of obviousness under Section 103, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach

or suggest all the claim limitations. M.P.E.P. § 2143. The Office's rejections do not meet the above criteria.

With respect to paragraphs 7 and 11 of the present Office action, claims 8, 9, 27, 28, 35, 36, 43 and 44 stand rejected as being unpatentable over Read and Mankovitz in further view of O'Neill, and claims 19 and 20 stand rejected as being unpatentable over Youngberg in view of O'Neill. The present application was filed on September 21, 2001. O'Neill was filed on September 12, 2000 and issued on October 16, 2001. Both O'Neill and the present application are commonly assigned to Quartex, Inc., a division of Primex, Inc. Therefore, according to 35 U.S.C. § 103(c), O'Neill cannot be relied upon as a reference to preclude patentability of claims 8, 9, 19, 20, 27, 28, 35, 36, 43 and 44. M.P.E.P. § 2146. For this reason, the rejections of claims 8, 9, 19, 20, 27, 28, 35, 36, 43 and 44 should be withdrawn.

Further, the combination of Read and Mankovitz does not teach or suggest the use of a time zone switch (as claimed in claims 8, 27 and 35 of the Applicants' application) or a daylight savings switch (claims 8, 27, 35 and 43 of the application) to provide time adjustments in a clock system. Also, Youngberg does not teach or suggest selecting a time zone (claim 19 of the application) or selecting a daylight savings bypass switch (claim 19 of the application) in a clock system. Furthermore, Youngberg and the combination of Read and Mankovitz do not teach or suggest the use of a reception status display (claim 9 of the application) or displaying the reception status (claims 20, 28, 36 and 44 of the application).

Also indicated in the present Office action, Official notice was taken regarding the use of a channel selection switch (claims 8, 19, 27, 35 and 43 of the application) in communication devices employing wireless technology for selecting the desired frequency channel. However, the Office action fails to provide a reference and the motivation to combine the Official notice and the references cited to suggest a clock system conducting communication across more than one communication channel. Thus, the cited references and the Official notice fail to teach or suggest the use of a channel switch in a wireless clock system as claimed in claims 8, 19, 27, 35 and 43.

Therefore, Youngberg, Read, Mankovitz and the combination of these references fail to teach and suggest all of the limitations of each of the claims 8, 9, 19, 20, 27, 28, 35, 36, 43 and

44, as outlined above. Accordingly, these claims contain allowable subject matter and the rejection of the claims should be withdrawn.

Next, as amended, claim 1 recites a synchronous event system including a primary event device and a secondary event device. The primary device includes a memory operable to store a programmed instruction including a time element and a transmitter operable to transmit a first internal time and the programmed instruction, as well as additional limitations. The secondary device includes a second receiver operable to wirelessly receive the first internal time and the programmed instruction and an event switch operable to execute the registered programmed instruction when a second internal time matches the time element. Neither Read, Mankovitz, the combination of the two references or the remaining cited references teach or suggest such a synchronous event system as set forth in claim 1.

Read teaches a system and method for synchronizing clocks in a plurality of devices across a communication channel. According to Read, each slave device includes an event controller. The event controller records the occurrence of an identified event that is input into the controller by a signal. Typically, the signal is indicative of an event that the system is monitoring. Alternatively, the controller can receive a command from the master control device to cause an event to occur at a time which is stored in the event time register. When the value in the event time register equals the slave time, the event controller will output a control signal via a driver output to cause an event to occur. See Read, col. 4, lines 52-67 and col. 5, lines 1-4.

However, Read, Mankovitz and the combination of the two fail to teach or suggest a primary device having a memory operable to store a programmed instruction and a time element and a transmitter operable to transmit a first internal time, the programmed instruction and the time element. Nowhere does Read disclose transmitting the time element (e.g., the time when the event is to occur) from the master device to the slave device. Furthermore, Read is a wired system, while claim 1 requires that the second receiver "wirelessly receive the first internal time and the programmed instruction" (emphasis added). Not only does Read not teach transmitting a time element for determining when an event is to occur at a slave device, but nowhere is it even remotely suggested to control the slave devices wirelessly. And, the Examiner has not shown a teaching in either Read or Mankovitz to combine the wireless disclosure of Mankovitz with the

Read system. There is nothing in the prior art that suggests wirelessly receiving an instruction as is required by claim 1 of the present application. There are special problems associated with wirelessly receiving instructions as claimed in claim 1 of the present application that would prevent wirelessly receiving instructions from being readily apparent to one of ordinary skill in the art viewing the system in Mankovitz, which does not receive instructions at all. Accordingly, claim 1 contains allowable subject matter and the rejection of the claim should be withdrawn.

Claims 2-11 depend from claim 1 and are allowable for the same reasons that claim 1 is allowable, as well as other reasons, which for the sake of brevity, are not discussed.

As amended, claim 22 recites a method of controlling a time-system including processing a GPS time signal to produce a first internal time, retrieving operational data from a memory, wirelessly transmitting the first internal time and the operational data and executing an event at a second device with a second internal time and the operational data, as well as additional limitations. Neither Read, Mankovitz, the combination of the two references or the remaining cited references teach or suggest such a method as set forth in claim 22.

As indicated previously, the master device of Read does not store, retrieve or transmit any type of operational data from a memory to a slave device and also does not store, retrieve or transmit a time element to a slave device. Accordingly, claim 22 contains allowable subject matter and the rejection of the claim should be withdrawn.

Claims 23-29 depend from claim 22 and are allowable for the same reasons that claim 22 is allowable, as well as other reasons, which for the sake of brevity, are not discussed.

As amended, claim 30 recites a method of wirelessly synchronizing a timed-system. The method includes retrieving operational data including a preprogrammed time element and a preprogrammed functional element from a memory, retrieving a first internal time from a first internal clock, wirelessly transmitting the first internal time and the operational data, identifying a function from the preprogrammed functional element and executing the function when a second internal time matches the preprogrammed time element, as well as additional limitations.

As indicated previously, the master device of Read does not store, retrieve or transmit any type of operational data from a memory to a slave device and also does not store, retrieve or

transmit a time element to a slave device. Accordingly, claim 30 contains allowable subject matter and the rejection of the claim should be withdrawn.

Claims 31-37 depend from claim 30 and are allowable for the same reasons that claim 30 is allowable, as well as other reasons, which for the sake of brevity, are not discussed.

As amended, claim 38 recites a method of wirelessly synchronizing a timed-system. The method includes wirelessly receiving a first internal time at a receiver, selecting a time zone, incrementing a second internal clock relative to the first internal time and the time zone and displaying the second internal time from the second internal clock, as well as additional limitations.

As stated previously, the combination of Read and Mankovitz does not teach or suggest the use of a time zone switch. Also, as stated previously, Youngberg does not teach or suggest providing time zone correction or daylight savings correction in a clock system. Accordingly, claim 38 contains allowable subject matter and the rejection of the claim should be withdrawn.

Claims 39-45 depend from claim 38 and are allowable for the same reasons that claim 38 is allowable, as well as other reasons, which for the sake of brevity, are not discussed.

Newly added claim 46 recites a method of wirelessly synchronizing a timed-system. The method includes wirelessly receiving a first internal time at a receiver, selecting a daylight savings bypass switch, incrementing a second internal clock relative to the first internal time and the daylight savings bypass switch and displaying the second internal time from the second internal clock, as well as additional limitations.

Again, as indicated previously, the combination of Read and Mankovitz does not teach or suggest the use of a daylight savings switch to provide time adjustments in a clock system. Also, as stated previously, Youngberg does not teach or suggest providing daylight savings correction in a clock system. Accordingly, claim 46 contains allowable subject matter.

Newly added claims 47-53 depend from claim 46 and are allowable for the same reasons as claim 46 is allowable, as well as other reasons, which for the sake of brevity, are not discussed.

Newly added claim 54 recites a synchronous event system including a first device and a second device. The first device includes a memory operable to store a programmed instruction including a time element and a transmitter operable to transmit a first internal time and the programmed instruction, as well as additional limitations. The second device includes a second receiver operable to wirelessly receive the first internal time and the programmed instruction and an event switch operable to execute the registered programmed instruction when a second internal time matches the time element, as well as additional limitations.

Again, the cited references do not teach or suggest a system including a first device having a memory operable to store a programmed instruction and a time element and a transmitter operable to transmit a first internal time, the programmed instruction and the time element. Accordingly, claim 54 contains allowable subject matter.

Newly added claims 55-61 depend from claim 54 and are allowable for the same reasons that claim 54 is allowable, as well as other reasons, which for the sake of brevity, are not discussed.

In light of the amendments and remarks above, Applicants respectfully request entry of this Amendment and the allowance of claims 1-61. The undersigned is available for telephone consultation at any time.

Respectfully submitted, .



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